

#3/PLW

MDH-109-A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brij Pal Giri

Serial No: 09/883,586

Group Art Unit: 1651

Filing Date: June 18, 2001

Title: SINGLE MOLECULE DETECTION OF ALKALINE  
PHOSPHATASE ENZYME USING ENHANCED  
CHEMILUMINESCENCE FROM 1,2-DIOXETANES  
AND WATER SOLUBLE POLYMERS

Our Ref.: MDH-109-A

RESPONSE TO OFFICE ACTION

Hon. Commissioner of Patents  
Washington, D.C. 20231

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TECH CENTER 1600/2900

Sir:

In response to the Office Action dated February 13, 2003, please enter the following remarks with respect thereto:

REMARKS

In the above-identified Office Action, the Examiner has set forth a restriction requirement contending that there are four separate inventions, to wit, the subject matter of Claims 1-12 and 21; the subject matter of Claims 13-15, 17, 18 and 20; the subject matter of Claim 16 and; the subject matter of Claim 18.

Applicant respectfully traverses this restriction requirement.

It is contended that there is a unity of invention which pervades the entire inventive concept and, in order to do the mandated comprehensive search, the

subject matter of each of the alleged independent inventions must be searched. Thus, there would be no new work on the part of the Examiner and is a more cost effective and efficient manner by which to examine the subject matter.

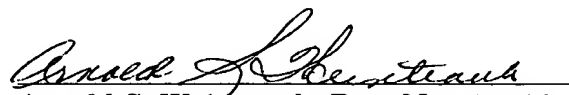
However, in order to be fully responsive hereto, Applicant elects to prosecute the subject matter of Group I, namely, Claims 1-12 and 21.

The Examiner has further required the selection of (1) (a) or (1) (b) or (2) from Claim 3 and a definition of R2, R3, R1, AR and Y. Applicant advises the Examiner that Applicant elects to prosecute the subject matter of 3 (1) (a). The Examiner is further advised that Claim 4 falls within the Group and defines R1, R2, R3, AR and Y.

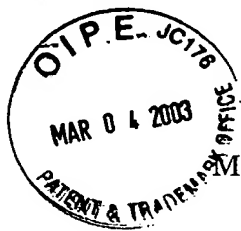
Having fully responded to the election requirement, it is believed that the application is now in condition for examination and such is respectfully requested.

If the Examiner feels that the prosecution of this application can be expedited, then she is courteously requested to place a telephone call to Applicant's attorney at the number listed.

Respectfully submitted,

  
Arnold S. Weintraub, Reg. No. 25523  
PLUNKETT & COONEY, P.C.  
38505 Woodward Avenue, Suite 3000  
Bloomfield Hills, Michigan 48304  
(248) 901-4043 (Direct Dial)

Dated: February 27, 2003



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CERTIFICATE OF MAILING AND TRANSMITTAL LETTER

Hon. Commissioner of Patents  
Washington, D.C. 20231

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TECH CENTER 1600/2900

Sir:

Transmitted herewith is a Response to Office Action, Certificate of Mailing  
and Transmittal Letter; and Self Addressed, Stamped Postcard.

X No additional fee is believed required.

Our Check in the amount of \$\_\_\_\_\_ is attached.

Charge \_\_\_\_\_ to Deposit Account No. 50-0404.

X Please charge any additional fees or credit overpayment to Deposit  
Account No. 50-0404.

I hereby certify that this correspondence is being deposited with the United  
States Postal Service as first class mail in an envelope addressed to: Hon.  
Commissioner of Patents, Washington, D.C. 20231 on this 27th day of February,  
2003.

Victoria Mendoza  
Victoria Mendoza